

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS**

<b>BLACK &amp; VEATCH CONSTRUCTION, INC.</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>CIVIL ACTION</b>
<b>v.</b>	)	<b>No. 07-2147-KHV</b>
	)	
<b>NATIONAL MAINTENANCE AGREEMENTS</b>	)	
<b>POLICY COMMITTEE, INC., et al.</b>	)	
	)	
<b>Defendants.</b>	)	
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**ORDER**

On April 11, 2007, plaintiff filed a complaint against the National Maintenance Agreements Policy Committee, Inc. (“NMAPC”), International Brotherhood of Boilermakers, United Association of International Union and other unnamed labor and non-labor members of the NMAPC, seeking to vacate arbitration awards under Section 301 of the Labor Management Relations Act of 1947, as amended, 29 U.S.C. § 185. On August 22, 2007, the Court ordered plaintiff to show good cause in writing why service of the summons and complaint had not been made upon NMAPC within 120 days from the filing of the complaint, and further show good cause in writing why plaintiff’s claim against NMAPC should not be dismissed without prejudice. See Doc. #4. This matter comes before the Court on Plaintiff’s Response To Order To Show Cause (Doc. #8) filed August 22, 2007.

In response to the show cause order, plaintiff states that it personally served defendants within 120 days of filing the complaint but neglected to file the returns of service until August 22, 2007. On this record, the Court finds that plaintiff has shown good cause why its claim against NMAPC should not be dismissed.

**IT IS SO ORDERED.**

Dated this 28th day of August, 2007 at Kansas City, Kansas.

s/ Kathryn H. Vratil  
Kathryn H. Vratil  
United States District Judge